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Aiken, SC 29803

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July 3, 1993

Ms. Donna R. Searcy
Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street NW - Room 222
Washington, DC 20054

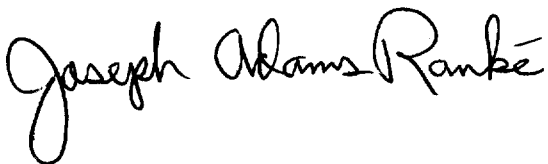
RE: OBJECTION TO: MOTION TO DISMISS COUNTERPROPOSAL AND MOTION TO STRIKE AND CONTINGENT REPLY TO "RESPONSIVE COMMENTS", FILED BY WINFAS OF BELHAVEN, INC. IN MM DOCKET NO. 93-47 Amendment of FM Table of Allotments, Camden, Latta and Marion, South Carolina.

Dear Ms. Searcy:

Enclosed please find an original and five copies of the "Objection To: Motion to Dismiss Counterproposal and Motion to Strike and Contingent Reply to 'Responsive Comments'" of Joseph Adams Ranke, which are tendered hereby concerning MM Docket 93-47.

Should you require further information, please contact the undersigned. Thank you in advance for your time and assistance in this matter.

Sincerely,



Joseph Adams Ranke

(803) 648-9143

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of) MM Docket No. 93-47
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
)
Camden, Latta and Marion,) RM-8188
South Carolina)
Blythewood, South Carolina) RM-8243

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To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

OBJECTION TO:
MOTION TO DISMISS COUNTERPROPOSAL
AND
MOTION TO STRIKE
AND
CONTINGENT REPLY TO "RESPONSIVE COMMENTS"

Joseph Adams Ranke ("Ranke"), hereby respectfully objects to the Motion to Dismiss Counterproposal and Motion to Strike and Contingent Reply to "Responsive Comments" ("Motions and Contingent Reply"), filed June 24, 1993, by Winfas of Belhaven, Inc. ("Winfas") in MM Docket No. 93-47, as follows:

1. Ranke objects to the granting of Winfas' Motion to Dismiss Counterproposal on the grounds that the Commission has already deemed that Ranke's Counterproposal is in the public interest and such a dismissal would run contrary to public interest concerns, and that Ranke has already addressed and corrected the procedural deficiency on which Winfas bases its motion.

2. Ranke also objects to the granting of Winfas' Motion to Strike and Contingent Reply to "Responsive Comments", on the

grounds that in his Responsive Comments, Ranke has provided to the Commission vital information pertinent to the matter at hand, the acceptance of which would aid the Commission in making a fair and just ruling on the instant proceeding.

3. Winfas' Contingent Reply to "Responsive Coments" adds no new information to this discussion, rather it is a regurgitation of Winfas' previous filings which contain gross inaccuracies and invalid assumptions. Winfas' current diatribe consistently misstates Ranke's Responsive Comments, and is an attempt to blatantly mislead the Commission into acting in a manner contrary to the public interest.

Motion to Dismiss Counterproposal

4. Winfas objects to the inclusion of Ranke's counterproposal in MM Docket No. 93-47 on the procedural grounds of Section 1.52 regarding subscription and verification. To wit, Winfas argues that because Ranke's original Comments and Counterproposal¹ "did not include... an affidavit stating that the statements contained therein were accurate to the best of his knowledge", they should be disallowed. Winfas cites Flora and Kings, Mississippi and Newellton, Louisiana, 7 FCC Rcd 5477 (1992) ("Flora"). Additionally, Winfas states that since the original filing, "nothing in the record...contains the required verification", therefore Winfas asserts that lacking this, Ranke's filings should

¹ See Comments and Counterproposal, Joseph Adams Ranke, MM Docket No. 93-47, RM-8243, filed May 13, 1993. See Also: Public Notice, Report No. 1942, Released May 25, 1993.

be dismissed.

5. However, on the very same day that Winfas filed its Motions and Contingent Reply, Ranke sent to the Commission a Suppliment To Responsive Comments, which included the following statement:

"The undersigned hereby certifies that this pleading as well

from the Commission's view, and prevent their inclusion into the record. Additionally, Winfas argues that Ranke's filing is unauthorized, and is "substantively defective".

7. As stated above, Ranke's Responsive Comments were filed in order to provide the Commission with information totally relevant to the case at hand, which 1) refuted allegations made by Winfas, 2) illuminated certain errors included in Winfas' Reply Comments, and 3) provided necessary data on which the Commission could make a fair and impartial judgement of two conflicting proposals.

8. As for "substantive deficiencies", Ranke points to Winfas' continued errors in calculation of its net population gain (also its total gain and loss), the methods of which have been spelled-out in many instances by the Commission, most notably in Greenup, Kentucky and Athens, Ohio, 4 FCC Rcd 3843 (1989), reversed, 6 FCC Rcd 1493 (1991). In its Motions and Contingent Reply, Winfas admits it has made an error in calculating its population figures, yet other than that one new bit of information, it covers no new ground. Therefore Winfas' Contingent Reply should be seen by the Commission as non-essential in determining the outcome of the instant proceeding.

Conclusion

Wherefore, in light of the foregoing, Ranke respectfully requests that the Commission accept his Objection to: Motion to Dismiss Counterproposal and Motion to Strike and Contingent Reply to "Responsive Comments", deny the motions advanced by Winfas in

The undersigned hereby certifies that this pleading, as well as all other materials and pleadings he has submitted to the Commission relative to this proceeding, and all information presented therein, are true and correct to the best of his knowledge and belief.

Respectfully submitted,

By Joseph Adams Ranke
Joseph Adams Ranke

966 Athol Avenue
Aiken, SC 29803
(803) 648-9143

July 3, 1993

CERTIFICATE OF SERVICE

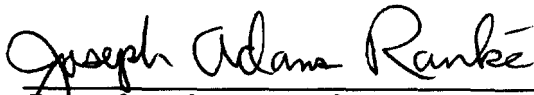
I, Joseph Adams Ranke, do hereby certify that on this 3rd day of July, 1993, I have caused to be mailed, via first class mail, postage prepaid, a copy of the foregoing "Objection to Motion To Dismiss Counterproposal and Motion to Strike and Contingent Reply to 'Responsive Comments'" to the following:

Gary S. Smithwick, Esquire
SMITHWICK & BELENDIUK, P.C.
1990 M Street, NW - Suite 510
Washington, DC 20036

Counsel to Winfas of Belhaven, Inc.

Kershaw Radio Corporation
Post Office Box 753
Camden, SC 29020

Licensee of WPUB-FM



Joseph Adams Ranke

July 3, 1993